

PRODUCT: 9 cartons, each containing 10 16-20 count boxes, and 15 cartons, each containing 10 21-25 count boxes, of frozen shrimp at Grand Rapids, Mich.

LABEL, IN PART: "Aero Foods Sea Foods By Air Glazed Weight 3 Pounds When Packed P. D. Q. Shrimp Peeled, Deveined, Quick Fresh Frozen."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents since the label statement "Weight 3 Pounds When Packed" was inaccurate. (The packages contained less than the declared weight.)

DISPOSITION: December 4, 1952. The Sea Pak Corp., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling under the supervision of the Federal Security Agency.

FRUITS AND VEGETABLES

CANNED FRUIT

19829. Misbranding of canned grapefruit. U. S. v. 141 Cases * * *. (F. D. C. No. 33691. Sample No. 8728-L.)

LABEL FILED: September 13, 1952, Northern District of New York.

ALLEGED SHIPMENT: On or about June 18, 1952, by Southern Fruit Distributors, Inc., from Orlando, Fla.

PRODUCT: 141 cases, each containing 24 cans, of grapefruit at Schenectady, N. Y.

LABEL, IN PART: "Bluebird Brand Florida Grapefruit * * * Contents 1 Lb. or 453 grams."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label designation "Grapefruit" was false and misleading since the product contained grapefruit and orange; and, Section 403 (i), the label failed to bear the common or usual name of the product, namely, "grapefruit and orange."

DISPOSITION: November 19, 1952. Default decree of condemnation. The court ordered that the product be released to a charitable institution for its use and not for sale.

JAMS, JELLIES, AND PRESERVES

19830. Misbranding of fruit preserves. U. S. v. Mitchell Syrup & Preserve Co. Plea of nolo contendere. Fine, \$3,000. (F. D. C. No. 33803. Sample Nos. 10203-L to 10205-L, incl., 54037-L to 54039-L, incl.)

INFORMATION FILED: October 23, 1952, Eastern District of Michigan, against the Mitchell Syrup & Preserve Co., a corporation, Detroit, Mich.

ALLEGED SHIPMENT: Between the approximate dates of February 11 and April 28, 1952, from the State of Michigan into the State of Illinois.

LABEL, IN PART: "Contents 2 Lbs. Avd. Dainty Lunch Brand Pure Apple Strawberry [or "Blackberry" or "Raspberry"] Preserves."

NATURE OF CHARGE: Misbranding, Section 403 (g) (1), the products failed to conform to the respective definitions and standards of identity for apple-strawberry, apple-blackberry, and apple-raspberry preserves since they were made from mixtures composed of less than 45 parts by weight of the respective

fruit ingredients to each 55 parts by weight of the optional saccharine ingredients specified in the standard.

DISPOSITION: October 30, 1952. A plea of nolo contendere having been entered, the court fined the defendant \$3,000.

19831. Misbranding of plum jam, peach jam, and grape jelly. U. S. v. 12 Cases, etc. (F. D. C. No. 34601. Sample Nos. 61142-L to 61144-L, incl.)

LABEL FILED: January 15, 1953, District of Kansas.

ALLEGED SHIPMENT: On or about October 24, 1952, by the J. F. Garvey Co., from Lincoln, Nebr.

PRODUCT: 12 cases, each containing 6 cans, of plum jam, 34 cases, each containing 6 cans, of peach jam, and 28 cases, each containing 6 cans, of grape jelly, at Leavenworth, Kans.

LABEL, IN PART: (Can) "Garvey's Plum [or "Peach"] Jam 8¼ lb. Net Weight" or "Garvey's Grape Jelly * * * 8¼ lb. Net Weight."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), (plum jam and peach jam) the products failed to bear labels containing an accurate statement of the quantity of the contents since the cans contained less than the labeled 8¼ pounds; and, Section 403 (g) (1), (all products) the products failed to conform to the definitions and standards of identity for plum jam, peach jam, and grape jelly since the soluble-solids content of the products was less than 65 percent.

DISPOSITION: April 8, 1953. The shipper, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond to be relabeled under the supervision of the Food and Drug Administration.

VEGETABLES

19832. Adulteration and misbranding of canned lima beans. U. S. v. 46 Cases * * *. (F. D. C. No. 33654. Sample No. 22701-L.)

LABEL FILED: August 25, 1952, Western District of Louisiana.

ALLEGED SHIPMENT: On or about May 19, 1952, by the Fresh Canning Co., from Spiro, Okla.

PRODUCT: 46 cases, each containing 48 15-ounce cans, of lima beans at Alexandria, La.

LABEL, IN PART: (Can) "Baby Shug Green & White Baby Lima Beans."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing dried soaked lima beans had been substituted for canned lima beans.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for canned lima beans since the vegetable ingredient was not obtained by proper preparation from the succulent vegetable as required by the definition and standard. The product was prepared from dried soaked lima beans.

DISPOSITION: October 20, 1952. The shipper, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be relabeled under the supervision of the Federal Security Agency.